

REMARKS**Claim Rejections -35 USC section 102**

Claims 1-25 are pending -- claims 22-25 being newly added. Claims 1 – 4, 6 – 10, 12 – 16, 18, 19 and 21 are withdrawn.

Claims 5, 11, 17 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Sonnenberg et al. (U.S. Patent 5,223,118)

Claims 5, 11, 17, 20, and 22 – 25 are apparatuses for analyzing the fillability with a copper electroplating solution. On the other hand, Sonnenberg et al. discloses a method for measuring concentrations of both brightener and leveler. Therefore, Claims 5, 11, 17, 20, and 22 – 25 are apparently and largely different from the method disclosed by Sonnenberg et al.

Further, in the method disclosed by Sonnenberg et al., "After the equilibration step, metal is plated, first to measure brightener concentration, and then the rate of change of energy output from the system is recorded in order to determine leveler concentration." (See column 4, lines 3- 7 of Sonnenberg et al. (USP5223118)) That is, in the method disclosed by Sonnenberg et al., a time-dependent potential change curve is not analyzed, but only recorded in order to determine leveler concentration. On the other hand, in Claims 22 – 25, the fillability is judged by approximating the time-dependent potential change curve for a predetermined period of time after the start of the electrolysis, according to the Boltzmann's function, to thereby obtain the potential change speed  $dx$  as well as the potential convergent point  $A_2$ . Therefore, Claims 22 – 25 are apparently and largely different from the method disclosed by Sonnenberg et al.

Accordingly, Applicants believe that Claims 5, 11, 17, 20, and 22 – 25 are patentably allowable over Sonnenberg et al.

RECEIVED,  
CENTRAL FAX CENTER

DEC 24 2008

## CONCLUSION

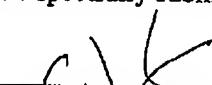
Applicants believes that all of the claims are in condition for allowance. Removal of the rejection is respectfully requested.

Should the Examiner have any questions or concerns, the Examiner is invited to call the undersigned attorney of record. The Commissioner is authorized to charge any fee(s) due to Squire Sanders and Dempsey, L.L.P. Deposit Account No. 07-1850.

Respectfully submitted,

Date: September 17, 2008

Squire, Sanders & Dempsey L.L.P.  
One Maritime Plaza  
Suite 300  
San Francisco, CA 94111  
Facsimile (415) 393-9887  
Telephone (415) 954-0323  
[ckerrigan@ssd.com](mailto:ckerrigan@ssd.com)

  
Cameron K. Kerrigan  
Attorney for Applicant  
Reg. No. 44,826